

**REMARKS**

**Status of the Application**

Prior to this amendment, claims 1, 3, 9, 12 and 14-16 were pending. Claim 1 has been amended. Claims 2, 4-8, 10, 11 and 13 were previously canceled. No claims have been added. Therefore, claims 1, 3, 9, 12 and 14-16 remain pending for examination.

Applicants respectfully request reconsideration of this application as amended and in light of the remarks herein.

The Office Action rejected claims 1, 3, 12 and 15 under 35 U.S.C. §101 as being directed to non-statutory subject matter.

The Office Action has rejected claims 1-3, 9, 12 and 14-16 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of non-patent literature document “Simplifying Complex Project Management” to Stevens (“Stevens”) in view of non-patent literature document “A Guide to the Project Management Body of Knowledge” of the Project Management Institute’s (“PMBOK”), and further in view of the cited portions of U.S. Patent 6,748,582 to Chiles et al. (“Chiles”).

**Remarks**

**§101 Rejections – Claims 1, 3, 12 and 15**

Independent claim 1, and dependent claims 3, 12 and 15 stand rejected as being directed to non-statutory subject matter. Applicant has amended independent claim 1 to clarify that it is a method possibly which could be performed by a processor and/or data storage device.

Because the amended claim 1, and by dependency, dependent claims 3, 12 and 15 are now described as being performed with a particular apparatus/system, Applicant respectfully submits that the §101 rejection of these claims is now moot. Applicant therefore respectfully requests withdrawal of the §101 rejections of these claims.

§103 Rejections - Independent Claims 1 and 9

Independent claims 1 and 9 stand rejected as being obvious over Stevens in view of PMBOK, and further in view of Chiles. Applicant respectfully traverses these rejections at least because Stevens, PMBOK, and Chiles do not teach or suggest all of the recitations of each of claims 1 and 9, nor have such recitations been otherwise shown to have been known in the art at the time of Applicants invention.

More specifically, claim 1 recites, and Stevens, PMBOK, and Chiles do not teach or suggest, the following recitations:

“referring to the work definition table, and collecting the work IDs of a same stage from the work IDs in the projects selected by the user;  
referring to the work relation definition table, obtaining the uppermost master work ID from the same stage work IDs, collecting the man powers and the progress degrees of the work IDs of the same stage and having the same uppermost master work ID, and calculating the progress degree of a compound work using the collected man powers and the collected progress degrees; [and]  
storing into a compound Work Breakdown Structure (WBS) definition table the uppermost master work ID, a work stage number, the work IDs having the same uppermost master work ID, the projects to which the works belong and the calculated progress degree[.]”

Claim 9 includes similarly directed recitations.

The Office Action does not cite any portion of any reference as teaching the first clause above. Office Action, p. 11, para. 1. The Office Action cites paragraphs 11, 14 and 15 of Stevens as teaching or suggesting the second clause above. Office Action, p. 8, para. 4. The Office Action cites paragraphs 10, 11, 14 and 18 as teaching or suggesting the third clause above. Office Action, p. 9, para. 1.

Applicant can also find no teaching or suggestion of the first clause reproduced above in any of the three references cited against claims 1 and 9. For at least this reason, a prima facie case of obviousness has not been established with respect to claims 1 and 9.

Additionally however, the cited portions alleged to teach or suggest the second clause do not actually do so. The second clause above recites, “referring to the work relation

definition table, obtaining the uppermost master work ID from the same stage work IDs, collecting the man powers and the progress degrees of the work IDs of the same stage and having the same uppermost master work ID, and calculating the progress degree of a compound work using the collected man powers and the collected progress degrees[.]”

However, paragraphs 11, 14 and 15 from Stevens (those portions of Stevens cited against this clause) merely mention: (a) Gantt and PERT charts; (b) specification of resources for each task in a project; (c) linking tasks/projects together; (d) specification of dependencies amongst tasks; (e) that PERT charts display information about: (1) resources for a task, (2) start and finish dates for tasks, and (3) relationships among tasks/milestones; and (e) that Gantt charts display chronology of a project.

The above brief disclosures of Stevens fall well short of actually teaching or suggesting the more specific recitations of the second clause reproduced above. Merely by way of example, the shortcomings of the cited portions of Stevens include: (a) not teaching or suggesting obtaining work IDs; (b) not teaching or suggesting collecting information about resources for same stage work; and (c) not teaching or suggesting calculating a progress degree of a compound work using the above collecting information.

Again, for at least this additional reason, a prima facie case of obviousness has not been established with respect to claims 1 and 9.

Furthermore, the cited portions alleged to teach or suggest the third clause do not actually do so. The this clause above recites, “storing into a compound Work Breakdown Structure (WBS) definition table the uppermost master work ID, a work stage number, the work IDs having the same uppermost master work ID, the projects to which the works belong and the calculated progress degree[.]”

However, paragraphs 10, 11, 14 and 18 from Stevens (those portions of Stevens cited against this clause) merely mention: (a) Autoplan II software allows input of 10,000 tasks within 128 levels of sub-tasks and 12 levels of hierarchy; (b) Gantt and PERT charts; (c) specification of resources for each task in a project; (d) that PERT charts display information

about: (1) resources for a task, (2) start and finish dates for tasks, and (3) relationships among tasks/milestones; (e) that Autoplan II software allows generation of plan-versus-actual dates/costs reports; and (f) that Autoplan II software allows generation of percentage of project or sub-project completion reports.

The above brief disclosures of Stevens fall well short of actually teaching or suggesting the more specific recitations of the third clause reproduced above. Merely by way of example, the shortcomings of the cited portions of Stevens include: (a) teaching or suggesting storing work IDs; (b) teaching or suggesting storing work stage numbers; and (c) teaching or suggesting storing work IDs having the same uppermost master work IDs.

Again, for at least this additional reason, a prima facie case of obviousness has not been established with respect to claims 1 and 9.

For all of the above reasons then, the cited references fail to teach or suggest the above recitations of claim 1, and similar recitations found in claim 9. Nor have such recitations been otherwise shown to have been known in the art at the time of the invention. Thus, a prima facie case of obviousness has not been established with respect to claims 1 and 9. Consequently, Applicant respectfully requests withdrawal of the §103 rejections of these claims.

Dependent Claims 3, 12 and 14-16

Each of dependent claims 3, 12 and 14-16 depend, either directly or indirectly, from either claim 1 or 9, and is therefore believed to be allowable at least by virtue of their dependence from an allowable base claim. Consequently, Applicant respectfully requests withdrawal of the §103 rejections of these claims.

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Amdt. dated January 12, 2009  
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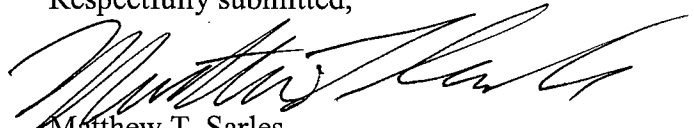
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**CONCLUSION**

For at least all of the foregoing reasons, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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